

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>Application No.</b>	10/576,122	<b>Filing Date</b>	August 27, 2007
<b>Inventor(s)</b>	Brian Morgan, et al.		
<b>Title</b>	METHODS FOR MAKING SIMVASTATIN AND INTERMEDIATES		
<b>Examiner</b>	NIZAL S CHANDRAKUMAR	<b>Group Art Unit</b>	1625
<b>Customer No.</b>	29062	<b>Confirmation No.</b>	5578

Mail Stop ISSUE FEE  
 Commissioner for Patents  
 PO Box 1450  
 Alexandria, VA 22313-1450

**NOTIFICATION OF LOSS OF ENTITLEMENT**  
**TO SMALL ENTITY STATUS UNDER 37 CFR §1.28(c)**

Dear Sir:

Applicant hereby notifies the Patent and Trademark Office that it is not entitled to status as a small entity and the claim for small entity status filed by Applicant is hereby withdrawn.

The following table is a listing of fees that were paid in good faith at the small entity rate during prosecution of this application. Also listed are the current non-small entity fee and the amount of deficiency owed in accordance with 37 CFR §1.28(c).

Fee Type	Date Paid	Amount Paid	Current non-SE Fee	Deficiency Owed
FC 2631 - Basic National Stage Fee	4/24/2006	\$150	\$330	\$180
FC 2641 - National Stage Search Fee	4/24/2006	\$50	\$100	\$50
FC2633 - National Stage Examination Fee	4/24/2006	\$100	\$220	\$120
FC 2681 – Nat'l Stage App Size Fee	5/23/2007	\$125	\$270	\$145
FC 2614 - Claims - extra independent	5/23/2007	\$1,500	\$3,300	\$1,800
FC 2617 – Dec. 30 mos. from priority	5/23/2007	\$65	\$130	\$65
FC 1463 - Petition	5/23/2007	\$200	\$200	\$0
FC 2255 - 5 Mo. Extension	5/23/2007	\$1,080	\$2,350	\$1,270
<b>Total Deficiency Owed:</b>				<b>\$3,630</b>

### CONCLUSION

The Commissioner is hereby authorized to charge the total deficiency owed to Deposit Account 50-0661, referencing docket no. D2050-2N.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extension of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 50-0661, referencing docket no. D2050-2N.

Dated: February 12, 2010

Respectfully submitted,  
By: /Jennifer Risser/

Jennifer Risser  
VERENIUM CORPORATION  
Phone (858) 526-0376  
Fax (858) 526-5976  
e-Mail jennifer.risser@verenium.com